IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION.

INCOME TAX APPEAL No.1355/2000.
WITH
INCOME TAX APPEAL No.1356/2000.
WITH
INCOME TAX APPEAL No.1357/2000.
WITH
INCOME TAX APPEAL No.1358/2000.
WITH
INCOME TAX APPEAL No.1359/2000.
WITH
INCOME TAX APPEAL No.1360/2000.

The Commissioner of Income Tax,
Nashik. ..Appellant.

Vs.

Madhukar Sahakari Sakhar
Karkhana Ltd. Faizpur. ..Respondent.

Mr B.M. Chatterjee with Ms. P.P. Bhosale for the Appellant.

Ms. Asifa Khan i/b J. N. Dialani for the Respondent.

CORAM:DR.S. RADHAKRISHNAN
AND V.C. DAGA,JJ.
DATED:2ND APRIL, 2007.

P.C.:-

1. Heard the learned counsel for the parties.

2. Both the learned counsel categorically state that the substantial questions of law in the above appeals are squarely covered by the following three judgments:-

1. Commissioner of Income-tax vs. New Horizon Sugar Mills P.Ltd, (269 ITR 397, SC).

2. Commissioner of Income-tax vs. Ambur Co-op. Sugar Mills Ltd.(269 ITR 398,SC).

3. Commissioner of Income-tax vs. New Horizon Sugar Mills Pvt.Ltd.(244 ITR 738,Mad).

3. In view thereof, the substantial questions of law are covered in favour of the assessee and against the revenue.

4. In the aforesaid view of the matter, all the above appeals stand dismissed by answering questions of law in favour of assessee and against the revenue.

(V.C. DAGA,J.) **(DR.S. RADHAKRISHNAN,J.)**